

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SERGIO A. OSEJO,

Plaintiff,

v.

HURTADO, et al.,

Defendants.

No. 1:21-cv-01178-DAD-EPG (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 11)

Plaintiff Sergio A. Osejo is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 9, 2021, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's application to proceed *in forma pauperis* be denied and that plaintiff be required to pay the \$402.00 filing fee in full to proceed with this action. (Doc. No. 11.) The findings and recommendations were served on plaintiff and contained notice that objections thereto were to be filed within twenty-one (21) days after service. To date, no objections to the findings and recommendations have been filed with the court, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including plaintiff's

1 objections, the court finds the findings and recommendations to be supported by the record and
2 proper analysis.

3 Accordingly,

- 4 1. The findings and recommendations issued on August 9, 2021 (Doc. No. 11) are
5 adopted in full;
- 6 2. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is denied;
- 7 3. Within thirty (30) days from the date of service of this order, plaintiff shall pay the
8 required filing fee of \$402.00 in full to proceed with this action; and
- 9 4. Failure to pay the filing fee within the allotted time will result in dismissal of this
10 action.

11 IT IS SO ORDERED.

12 Dated: **November 12, 2021**

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15 UNITED STATES DISTRICT JUDGE
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